



pe of Activity: Personal Interview

use Number: IN03-OIG-LA-0662

Case Title: Air and Marine Interdiction Center

On May 22, 2003, [REDACTED] Texas Department of Public Safety (DPS), Austin, Texas, [REDACTED] or [REDACTED], was interviewed by the Department of Homeland Security (DHS), Office of Inspector General (OIG) regarding allegations that the Bureau of Immigration and Customs Enforcement (BICE), Air and Marine Interdiction Coordination Center (AMICC), DHS allegedly misused DHS resources in the search of missing Texas state legislators, specifically, by looking for a missing airplane. Others present during this interview were [REDACTED], DPS, Austin; [REDACTED], DPS, Austin; and [REDACTED], DPS, Austin. During the questioning of [REDACTED] the DHS-OIG was consistently interrupted and challenged by DPS participants that questions were not within the scope of the DHS-OIG investigation. The DPS asked the OIG if [REDACTED] would be given Miranda warnings. The OIG advised the DPS that [REDACTED] would not be given Miranda warnings since [REDACTED] was only a witness regarding a DHS-OIG investigation. The DHS-OIG advised that [REDACTED] was not under criminal investigation. [REDACTED] provided, in substance, the following information:

[REDACTED] has worked for the DPS for [REDACTED]. [REDACTED] said [REDACTED] knew that USCS tracked airplanes. [REDACTED] said [REDACTED] was aware that this USCS California office was part of the DHS.

[REDACTED] said [REDACTED] called the USCS about a missing airplane on May 12, 2003, between the hours of 6:45 p.m. and 10:00 p.m. [REDACTED] said [REDACTED] asked for the "TX Desk" which [REDACTED] said referred to the Texas area.

[REDACTED] was questioned as to who instructed [REDACTED] to make an inquiry regarding the missing airplane. [REDACTED] said several individuals requested [REDACTED] to look for the airplane. At that point in the interview [REDACTED] asked [REDACTED] and [REDACTED] if [REDACTED] had to answer the question regarding who requested [REDACTED] to look for the airplane. [REDACTED] advised [REDACTED] that this question was outside the scope of the DHS-OIG investigation. The DHS-OIG informed [REDACTED] that this question was pertinent to the investigation; however, the DHS-OIG could not compel [REDACTED] to answer. [REDACTED] declined to answer the question.

[REDACTED] the direction of unnamed individuals. [REDACTED] said [REDACTED] called the USCS to locate the airplane since it was past travel time and missing. [REDACTED] said [REDACTED] identified [REDACTED] and told the USCS call center employee that [REDACTED] needed to locate a missing airplane. [REDACTED] said [REDACTED] did not recall speaking with [REDACTED] at the USCS. [REDACTED] advised that there were legislators on board the aircraft; however, [REDACTED] did not know their identity. [REDACTED] said [REDACTED] provided the USCS with the airplane's tail number and advised them that [REDACTED] did not have the airplane's flight schedule. [REDACTED] said [REDACTED] could not remember the exact details of who was contacted to look for the airplane's tail number. [REDACTED] asked USCS if they could assist [REDACTED] with locating the missing airplane. [REDACTED] said the USCS

Special Agent Name, Title, Signature, and Date: [REDACTED]	Reviewing Official Name, Title, Signature, and Date: [REDACTED] David B. Smith, Special Agent in Charge	Item #: [REDACTED]
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MEMORANDUM OF ACTIVITY

advised that they would research the matter and call [REDACTED] back. [REDACTED] said [REDACTED] was called back by the USCS and advised that the Federal Aviation Administration (FAA) followed the flight plan from Ardmore, Oklahoma, to Mineral Wells, Texas.

[REDACTED] said the airplane departed Ardmore, Oklahoma, at 5:00 p.m. and was scheduled to arrive in Georgetown, Texas, at 6:13 p.m. [REDACTED] said the airplane's flight time was approximately one hour and thirteen minutes. [REDACTED] said the airplane's tail number was N711RD, which was registered to Hale Center, Texas. [REDACTED] stated [REDACTED] did not know to whom the airplane belonged. [REDACTED] said [REDACTED] checked with Austin Flight to verify if there was a flight plan from Ardmore, Oklahoma, to Georgetown, Texas, prior to calling USCS.

[REDACTED] said at approximately 8:00 p.m. [REDACTED] spoke with the USCS to check on the status of the missing airplane. The USCS advised [REDACTED] that they had been unsuccessful in locating the airplane in Mineral Wells, Texas, and that the next step would be to contact the FAA, Fort Worth, Texas. [REDACTED] said the USCS advised the only thing left to do was a search and rescue. [REDACTED] said the USCS provided [REDACTED] with the telephone number for the FAA Fort Worth tower.

[REDACTED] said [REDACTED] called the FAA, identified [REDACTED] and requested assistance related to some missing legislators. [REDACTED] did not recall who [REDACTED] spoke with or the time of the call to the FAA. The FAA advised [REDACTED] that the missing airplane traveling from Ardmore, Oklahoma, to Georgetown, Texas, went off the FAA radar in Bridgeport, Texas. [REDACTED] said [REDACTED] was told that the Bridgeport, Texas, and Mineral Wells, Texas, airports would be checking for the missing airplane.

[REDACTED] said when [REDACTED] contacted the FAA Fort Worth tower for the second time [REDACTED] could not recall what time it was or who [REDACTED] spoke with. [REDACTED] said the FAA told [REDACTED] that they did not locate the missing airplane and that the next step was to check some more airports in the area for the missing airplane. [REDACTED] said the FAA told [REDACTED] that Possum Kingdom, Texas, Graham, Texas, and Weatherford, Texas, were in the Bridgeport, Texas, area. [REDACTED] said [REDACTED] asked the FAA how to conduct a search and rescue. [REDACTED] said the FAA explained that a search and rescue involved checking airports and looking on the ground for the missing airplane.

[REDACTED] said [REDACTED] spoke with the FAA three different times with the third discussion informing the FAA that the missing airplane had been located by the DPS in Graham, Texas. [REDACTED] said [REDACTED] did not know who at DPS located the airplane. [REDACTED] said [REDACTED] had no recollection of the specific times during the night that [REDACTED] spoke with the FAA. [REDACTED] opined that the calls were made after 8:00 p.m. and prior to midnight on May 12, 2003.

[REDACTED] was questioned regarding any notes taken regarding the missing airplane. [REDACTED] said [REDACTED] notes from [REDACTED] conversations regarding the missing airplane with the USCS were shredded. [REDACTED] said [REDACTED] did not shred the notes. [REDACTED] said [REDACTED] does not recall who [REDACTED] gave the notes to for shredding.

[REDACTED] opined that the total time utilized by DHS to assist [REDACTED] with the missing airplane was fifteen minutes related to some telephone calls made.